

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIKE, INC.,

Plaintiff,

v.

STOCKX LLC,

Defendant.

No. 22 CV 983 (VEC) (SN)

**DECLARATION OF KATHRYN C. SABA IN SUPPORT OF
DEFENDANT STOCKX LLC'S MEMORANDUM OF LAW IN FURTHER SUPPORT
OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, Kathryn C. Saba, an attorney duly admitted in the State of New York, and not a party to the above-captioned case, declare the following to be true under penalty of perjury:

1. I am counsel for StockX LLC ("StockX") in the above-captioned case, and as such I am familiar with the facts and circumstances set forth herein.
2. I submit this declaration in support of StockX's Responses to Nike, Inc.'s Local Rule 56.1 Counterstatement of Disputed Facts and in support of StockX's Memorandum of Law in Further Support of its Motion for Partial Summary Judgment.
3. Attached as **Exhibit 1** is a true and correct copy of a document produced by StockX in this matter and bearing the Bates number STX0209132.
4. Attached as **Exhibit 2** is a true and correct copy of the "For Consumers FAQ" webpage on the REVIEWS.IO website on September 13, 2024, which was obtained at my direction from <https://support.reviews.io/en/articles/9184808-for-consumers-faq>.
5. Attached as **Exhibit 3** is a true and correct copy of excerpts of the deposition transcript of Jacob Fenton, dated December 2, 2022.

6. Attached as **Exhibit 4** is a true and correct copy of excerpts of the deposition transcript of John Lopez, dated February 23, 2023.
7. Attached as **Exhibit 5** is a true and correct copy of U.S. Patent No. 12,052,230 B2, issued on July 30, 2024.
8. Attached as **Exhibit 6** is a true and correct copy of a document produced by StockX in this matter and bearing the Bates number range STX0160709–STX0160710.
9. Attached as **Exhibit 7** is a true and correct copy of a document produced by StockX in this matter and bearing the Bates number range STX0192490–STX0192491.
10. Attached as **Exhibit 8** is a true and correct copy of excerpts of the deposition transcript of Brock Huber, dated February 22, 2023.
11. Attached as **Exhibit 9** is a true and correct copy of excerpts of the deposition transcript of Sarah Butler, dated August 15, 2023.
12. Attached as **Exhibit 10** is a true and correct copy of the “Ugg: The Buyers Guide” article, dated January 18, 2023, which was obtained at my direction on September 17, 2024, from <https://stockx.com/news/ugg-the-buyers-guide/>.
13. Attached as **Exhibit 11** is a true and correct copy of the “The Buyer’s Guide: Vans” article, last updated May 13, 2022, which was obtained at my direction on September 17, 2024, from <https://stockx.com/news/the-buyers-guide-vans/>.
14. Attached as **Exhibit 12** is a true and correct copy of the “The Buyer’s Guide: Yeezy Slides” article, last updated February 15, 2022, which was obtained at my direction on September 17, 2024, from <https://stockx.com/news/the-buyers-guide-yeezy-slides/>.

15. Attached as **Exhibit 13** is a true and correct copy of the “Women Designers To Watch in 2023” article, last updated March 13, 2023, which was obtained at my direction on September 17, 2024, from <https://stockx.com/news/women-designers-to-watch-in-2023/>.

16. Attached as **Exhibit 14** is a true and correct copy of the “Outerwear Anyone Would Love” article, dated November 15, 2023, which was obtained at my direction on September 17, 2024, from <https://stockx.com/news/outerwear-anyone-would-love/>.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: September 19, 2024
New York, NY

By: /s/ Kathryn C. Saba
Kathryn C. Saba